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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/676,544	09/29/2000	Georgios Chrysanthakopoulos	03797.85750	2723

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EXAMINER	
FLYNN, KIMBERLY D	

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/676,544	CHRYSANTHAKOPOULOS ET AL.	
	Examiner	Art Unit	
	Kimberly D. Flynn	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 October 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7 and 16-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7 and 16-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to an Amendment and Remarks filed October 29, 2004, claims 1-7 and 16-29 are presented for further consideration.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 5-7, 17-18, 20, and 23-25 are rejected under 35 U.S.C. 103(a) as being obvious over Warchol et al. (U.S. Patent No. 5,652,837) in view of Liang (U.S. Patent No. 5,537,099).

In considering claims 1, 5, and 18, Warchol discloses a method for remotely managing a computer coupled to a communication bus, the method comprising:

receiving a management command from a first device via a communication bus (col. 6, lines 58-67);.

While Warchol discloses determining the source of a command request, Warchol does not explicitly disclose determining whether the management command was received via a management port coupled to the communication bus. Nonetheless, determining if data (i.e. message, command, etc.) is received via a management port coupled to the bus

is well known in the art as evidenced by Liang. In similar art, Liang discloses that if a DTE (Data Terminal Element) address matches those associated with a port from which it was receive, the message packet is authorized (see Abstract, Fig. 6, and col. 8, lines 40-49). Given the teachings of Liang, it would have been obvious to a person having ordinary skill in the art to modify the system disclosed by Warchol to include the port-comparing step taught by Liang in order to provide a level of security on the network and to prevent intrusive access. Therefore the claimed limitation would have been an obvious modification to the Warchol system; and

Warchol further discloses that when the management command was received via the management port, executing the management command (col. 8, lines 25-32).

In considering claims 2, 6, 17 Warchol discloses providing, via the communication bus, data to at least one device coupled to the communication bus in response to the step of executing the management command (col. 8, lines 51-57).

In considering claims 3 and 7, Warchol discloses the method further comprising:

when the management command was not received via the management port, ignoring the management command (col. 8, lines 32-36).

In considering claim 20, Warchol discloses wherein the management device is another computer (see Fig. 1, 10).

In considering claim 16, the combined system of Warchol and Liang discloses a computer comprising:

a processor (Fig.1 CPU,14);

a memory (Fig. 1, Memory ,18);

executing at least one management command received via the management port (see Warchol col. 8, lines 25-32).

While the system disclosed by Warchol teaches using an IEEE 896 future+ bus, it fails to disclose wherein the bus interface is an IEEE 1394 interface. Nonetheless, the use of a serial bus such as the IEEE 1394 Standard bus instead of a parallel bus is well known in the art. The Futurebus+, which is based on the 1994 Futurebus+ standard, is a dead bus whose features and concepts have been added to other more up-to-date designs such as the IEEE 1394 (Futurebus+ Abstract, page 6-7).

Some of the advantages of using a serial bus instead of a parallel bus include: Increased fault tolerance due to a redundant path, increased isolated and diagnosed errors, and lower cost (Standard for a High Performance Serial Bus, page2). It would have been obvious to a person having ordinary skill in the art to modify the system as disclosed by Warchol to include a IEEE 1394-compliant serial bus in order to have a powerful and low cost peripheral interconnect that allow bandwidths comparable with existing I/O interconnect standards. The serial bus also has the advantage of architectural compatibility with parallel computer buses that leads to lower communication overhead. Therefore, the aforementioned limitations would have been obvious modifications.

Additionally, Examiner takes official notice that in the IEEE 1394, an isochronous transmission for real time data transmission and an asynchronous transmission for an asynchronous (non-real time) data transmission are supported.

In considering claims 4, 19, and 21-22, the limitations of these claims are substantially the same as those previously rejected in claims 1 and 16, therefore the same grounds of rejection is applicable.

In considering claim 23and 24, the combined system of Warchol and Liang discloses a host interface component, in communications with the management command authorization component and a host comprising a portion of the computer, that sends the one or more management commands to the host for execution when the one or more management commands are authorized and do not require the intervention of the host (col. 8, lines 28-32).

In considering claim 25, the combined system of Warchol and Liang discloses a host interface component that does not send the one or more management commands to the host when the one or more management commands are not authorized (col. 8, lines 32-36).

In considering claim 26, Examiner takes official notice that in the IEEE 1394, an isochronous transmission for real time data transmission and an asynchronous transmission for an asynchronous (non-real time) data transmission are supported.

In considering claims 27-29, the limitations of these claims are substantially the same as those previously rejected in claims 23-24 and 26, therefore the same grounds of rejection is applicable.

Response to Arguments

4. Applicant's arguments with respect to claims 1-7 and 16-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Flynn whose telephone number is 571-272-3954. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimberly D Flynn
Examiner
Art Unit 2153

KDF

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